

REMARKS

The Office Action dated September 14, 2005 has been received and carefully noted. The following remarks are submitted as a full and complete response to the Office Action.

Claims 21-35 are respectfully submitted for consideration.

Claims 21-35 were rejected under 35 U.S.C. 103(a) as being obvious over US Publication No 2003/0081592 to Krishnarajah (Krishnarajah), in view of the publication entitled “UDP Lite for Real-Time Multimedia Application” by Larzon et al. (Larzon). The Office Action took the position that Krishnarajah disclosed all of the features of the pending claims except the feature of classifying based on data in the checksum coverage field of the UDP packet. This rejection is respectfully traversed.

Claim 21, from which claims 22-27 depend, recites a method identifying a first part of a packet and a second part of the packet. The method further includes classifying one of the first part and the second part differently, the classifying being based on data in a checksum coverage field of the packet. The method further includes transmitting the different parts of the packet differently.

Claim 28, from which claims 29-31 depend, recites a method of transmitting a packet. The method includes determining a first part of the packet and a second part of the packet based on data in a checksum coverage field of the packet. The method further includes transmitting the first part of the packet across a radio access network using a

first radio bearer. The method further includes transmitting the second part of the packet across the radio access network using a second radio bearer.

Claim 32, from which claims 33-35 depend, recites an apparatus to communicate a packet. The apparatus includes a structure to identify a first part of the packet and a second part of the packet based on a checksum coverage field of the packet and structure to transmit the first part of the packet across a radio access network using a first radio bearer and to transmit the second part of the packet across the radio access network using a second radio bearer.

Applicants submit that the cited references fail to disclose or suggest all of the features recited in any of the pending claims, and therefore fails to provide the advantages thereof.

Krishnarajah is directed to a method and apparatus for transporting different classes of data bits in a payload over a radio interface. Paragraph [0036] of Krishnarajah describes dividing the payload into different groups of bits based on different classes of bits included in the data frame/payload. The Office Action admits that Krishnarajah fails to disclose the feature of the classifying being based on data in a checksum coverage field of said packet. The Office Action alleges that Larzon discloses this feature.

Larzon is directed to a method for utilizing UDP in order to add checksum to IP to allow damaged packets to be delivered. The method is called “UDP Lite”. According to Larzon, the UDP Lite header carries information about how many bytes, from the beginning of the packet, are included in the checksum calculation. In section 2.1 of

Larzon the coverage field specifies how many bytes are sensitive, and section 2.2 discloses that the senders specify packets as partially insensitive to errors. Thus, Larzon merely discloses that the determination as to whether a portion of a packet is sensitive i.e., classification, is previously determined before it is indicated as being sensitive in the checksum coverage field. Larzon discloses that the checksum field is an indication of the portion of the packet that is sensitive, and does not disclose or suggest that the classification is based on the data in the checksum coverage field, as recited in the pending claims. Therefore, Larzon does not cure the deficiencies of Krishnarajah as alleged in the Office Action.

Applicants further respectfully submit that there is no motivation to combine the cited references to form the basis of the obviousness rejection of the pending claims. It is improper to look to the applicant's disclosure for any teaching, suggestion, or motivation to combine or modify the prior art to yield a claimed invention. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). There is no such motivation in either of the cited references to form the cited combination. Further, one skilled in the art would not look to Larzon to cure any of the deficiencies of Krishnarajah as alleged in the Office Action. Thus, Applicants respectfully submit that the Office Action's attempt to do so is the result of impermissible hindsight because the only motivation to combine the cited references is found in the Applicant's own disclosure at least on page 9 lines 5-10 of the specification. Applicants submit that there is no motivation to combine the cited

references to form the basis of an obviousness rejection of the pending claims. Therefore, Applicants traverse the rejection of claims 21-35 under 35 U.S.C. 103(a).

Further, Applicants submit that because claims 22-27, 29-31 and 33-35 depend from claims 21, 28 and 32 respectively, these claims are allowable at least for the same reasons as claims 21, 28 and 32.

Based at least on the above, Applicants submit that the cited references taken individually or in combination, fail to disclose or suggest all of the features recited in any of the pending claims. Accordingly, withdrawal of the rejection of claims 21-35 under 35 U.S.C. 103(a) is respectfully requested.

Applicants respectfully submit that each of claims 21-35 recite features that are neither disclosed nor suggested in any of the cited references. Accordingly, Applicants request that each of claims 21-35 be allowed and this application be passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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Enclosures: Revocation and New Power of Attorney